

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JAMES LEE HENDERSON,	§	
TDCJ-CID NO.651826,	§	
Plaintiff,	§	
VS.	§	CIVIL ACTION NO. H-05-3006
	§	
TEXAS DEPARTMENT OF CRIMINAL	§	
JUSTICE-ID, <i>et al</i> ,	§	
	§	
Defendants.	§	

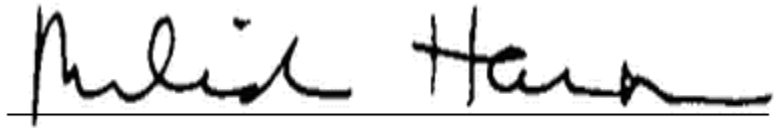
ORDER OF DISMISSAL

Plaintiff filed a complaint alleging violations of his civil rights under 42 U.S.C. § 1983. On June 4, 2007, the Court entered an Order striking plaintiff's second amended complaint and ordering plaintiff to submit a third amended pleading. (Docket Entry No.38). The Order, however, sent by the Court to plaintiff has been returned. Information on the envelope of the returned Order indicates that plaintiff has been released from custody without leaving a forwarding address, as required by local rule 83.4. Under that rule, *pro se* litigant is responsible for keeping the Clerk advised in writing of his current address. The Court will only send notices to the address on file. Plaintiff has clearly failed to provide the Court with an accurate, current address. Therefore, under the inherent powers necessarily vested in a court to manage its own affairs, this Court determines that dismissal for want of prosecution is appropriate. *See* FED. R. CIV. P. 41(b); *Woodson v. Surgitek, Inc.*, 57 F.3d 1406, 1417 (5th Cir. 1995). The plaintiff is advised, however, that upon a proper showing, relief from this order may be granted in accordance with Rule 60(b) of the Federal Rules of Civil Procedure.

Accordingly, it is ORDERED that this action be DISMISSED without prejudice for want of prosecution. All pending motions, if any, are DENIED.

The Clerk will provide a copy of this Order to all parties.

SIGNED at Houston, Texas, this 29th day of June, 2007.

A handwritten signature in black ink, reading "Melinda Harmon", written over a horizontal line.

Melinda Harmon
United States District Judge